

REMARKS

The Examiner rejected Claim 8 under 35 U.S.C. 112, second paragraph, because "said registration message" lacked antecedent basis. The above amendment to Claim 8 cures this defect.

The Examiner rejected Claims 1-15 under 35 U.S.C. 102(b) as being anticipated by Adolfsson (US 6,092,078). The above amendments cancel Claims 1 and 2, and hence, render this rejection moot with respect to these claims. Applicant traverses this rejection with respect to the remaining claims. The Examiner has the burden of showing by reference to the cited art each claim limitation in the reference. Anticipation under 35 U.S.C. 102 requires that each element of the claim in issue be found either expressly or inherently in a single prior art reference. In *re King*, 231 USPQ 136, 138 (Fed. Cir. 1986); *Kalman v. Kimberly-Clark Corp.*, 218 USPQ 781, 789 (Fed. Cir. 1983). The mere fact that a certain thing may result from a given set of circumstances is not sufficient to sustain a rejection for anticipation. *Ex parte Skinner*, 2 USPQ2d 1788, 1789 (BdPatApp&Int 1986). "When the PTO asserts that there is an explicit or implicit teaching or suggestion in the prior art, it must indicate where such a teaching or suggestion appears in the reference" (*In re Rijckaert*, 28 USPQ2d, 1955, 1957).

With reference to Claim 3, the Examiner maintains that the embodiments shown in Figures 1-4 and the passages at col. 3, lines 4-16, col. 2, lines 55-63, col. 4, lines 8-18, and col. 3, lines 50-52 of Adolfsson teach the claimed invention. Applicant must disagree. The embodiments shown Figures 1-4 and discussed in the cited passages refer to a data collection system in which the sensors are connected directly to a server and HTML is used to communicate via web pages with user terminals that are connected to the server. If one assigns device 3106 as the controller recited in the claim, then there is no server with which the "controller" communicates. Furthermore, there is no teaching that the communications between the devices shown at 3102 and the server are carried out via HTML messages.

While the embodiments shown in Figures 10 have sensors connected to modules that serve the functions of a controller that communicate with a server 102 over the network, again, there is no teaching that communications between the server and the various modules

is carried out via HTML messages. Accordingly, Applicant submits that Claim 3, and the claims dependent therefrom are not anticipated by Adolfsson.

With respect to Claim 5, the Examiner maintains that Adolfsson teaches that the controller communicates with the server via a proxy server. The Examiner points to the passage at col. 6, lines 20-25 as supporting this proposition. Applicant must disagree with the Examiner's reading of the passage in question. The passage does not refer to a proxy server. Furthermore, Applicant can find no mention of a proxy server anywhere in Adolfsson. Hence, Applicant submits that Claim 5 is not anticipated by Adolfsson.

With respect to Claim 6, the Examiner stated that Adolfsson teaches a clock for generating time readings that are included with data that is communicated to said server. The Examiner points to the passages at col. 8, lines 53-65 and col. 9, line 65 to col. 10, line 10 as supporting this proposition. The first passage refers to the inclusion of a unique identifier in the message sent from a reader to a server. However, there is no mention of a clock, no less including a time reading that is sent from the controller to the server. The second passage refers to a time stamp associated with the data on the server. The time stamp in question refers to the time that the data was received by the server or the last time the remote device was polled. There is no mention of receiving this time stamp in the message from the device. In fact, the second time stamp must be generated by the server itself, since it refers to the time the device was polled by the server whether or not the remote device responded to the poll. Accordingly, Claim 6, and Claim 7, which depend therefrom, are not anticipated by Adolfsson.

With respect to Claim 7, the Examiner stated that Adolfsson teaches that the clock is set via a message received from said server. The Examiner cites the passages at col. 8, lines 53-65 and col. 9, line 65 to col. 10, line 10 as supporting this proposition. As noted above, the first passage does not refer to any time stamp. The second passage likewise does not refer to how the clock is set. Hence, there are additional grounds for allowing Claim 7.

As per Claim 8, the Examiner identifies element 3106 as the data collection node. The Examiner points to the passage at col. 2, lines 55-63 as stating that the data collection

node communicates with a server via the network. The cited passage does not refer to the device communicating with a server.

The Examiner cites Figure 3 and the passages at col. 3, lines 53-56 and col. 4, lines 19-40 as teaching that the server is caused to provide a web page for accessing data generated by the controller in response to receiving a registration message. In the embodiment shown in Figure 3, the sensors are connected to the server 3106, and hence, there is no controller. In the embodiments shown in Figures 9-11, the modules that connect the sensors to the network generate a registration message when first connected to the server; however, there is no teaching that the server provides a web page in response to that registration message. Hence, Applicant submits that Claim 8 and the claims dependent therefrom are not anticipated by Adolfsson.

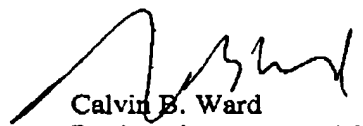
As per Claim 10, the Examiner stated that Adolfsson teaches that said controller communicates said message containing said data via HTTP (col. 3, lines 50-52). The cited passage refers to communications between the controller and a communication module, not the server. Hence, there are additional grounds for allowing Claim 10.

As per Claim 12, the Examiner stated that Adolfsson teaches that said controller communicates with said server via a proxy server on said computer network. As noted above, there is no mention of a proxy server in Adolfsson. Hence, there are additional grounds for allowing Claim 12.

With respect to Claims 13 and 14, Applicant repeats the arguments made above with respect to the lack of a teaching that time stamps are sent by the controller to the server or that a clock in the controller is reset by a message from the server.

I hereby certify that this paper is being sent by FAX to 703-872-9306.

Respectfully Submitted,



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